

IN THE CIRCUIT COURT OF THE SEVENTEENTH
JUDICIAL CIRCUIT IN AND FOR BROWARD COUNTY, FLORIDA

Administrative Order 2019-36-UFC

**ADMINISTRATIVE ORDER GOVERNING
SUPERVISED VISITATION PROGRAMS**

(a) Pursuant to Article V, section 2(d) of the Florida Constitution, and section 43.26, Florida Statutes, the chief judge of each judicial circuit is charged with the authority and the power to do everything necessary to promote the prompt and efficient administration of justice.

(b) Florida Rule of Judicial Administration 2.215(b)(3) states the chief judge “shall, considering available resources, ensure the efficient and proper administration of all courts within [this] circuit.”

(c) Supervised visitation programs are an essential element to the Unified Family Court model and an important resource for the Unified Family Court as these programs help to provide a safe environment for a child to visit with a non-custodial parent, facilitate family cooperation, support the family’s independence from the court system, and may provide crucial information to the judge.

(d) Pursuant to Florida Supreme Court Administrative Order entered on November 18, 1999, the chief judge of each judicial circuit is required to enter into an agreement with supervised visitation centers or programs that are willing to comply with minimum standards, and trial judges, when ordering parties to a supervised visitation program, shall only order parties to programs that have entered into an agreement with the chief judge.

(e) The Circuit has routinely entered into such agreements, and the Circuit determines it is necessary to update its administrative process for review, approval, and regulation of program providers meeting the necessary requirements to provider court-ordered supervised visitation in the Seventeenth Judicial Circuit.

(f) In accordance with the authority vested in the chief judge by Article V, section 2(d) of the Florida Constitution, section 43.26, Florida Statutes, and Florida Rule of Judicial Administration 2.215, it is hereby **ORDERED**:

(1) The Office of the Trial Court Administrator will create and maintain a registry of approved supervised visitation programs to which cases may be referred for supervised visitation. The registry shall include, to the extent possible, the contact information for each individual or entity approved to receive referrals for court-ordered supervised visitation, business address, email address, and telephone and fax number(s). The approved list shall be updated annually to coincide with the state fiscal year (July 1 to June 30).

(2) Qualified supervised visitation programs may be added to the Circuit's registry by completing and submitting an application to the following address:

Office of the Trial Court Administrator
Attention: General Counsel
Broward County Courthouse
201 S.E. 6th Street, Suite 20170
Fort Lauderdale, Florida 33301

Applications must be submitted no later than May 1 preceding the start of the fiscal year (July 1 to June 30) for which they seek to be added to the Registry. For fiscal year 2019-2020 only, applications must be received within thirty (30) days of the date of this Order. Applications shall include, to the extent feasible, information pertaining to the following:

- a. The types of services and manner in which they are provided;
- b. Case acceptance and discharge policies;
- c. Procedures for communication with the court, including how the program and the court will avoid impermissible *ex parte* communication;
- d. Procedures for providing reports to the court;
- e. The visitation agreement;
- f. Payment of fees;
- g. Hours and location(s) of operation that are accessible to use;
- h. Restrictions for transportation of children;
- i. Security measure and emergency protocol and/or procedures;
- j. Grievance procedures;
- k. Policies and procedures regarding release of information;
- l. Employment policies and policies governing the acceptance and discharge of volunteers, including: non-discrimination policies regarding the employee or volunteer's race, religion, gender, sexual orientation, national origin, age, disability, marital status; and policies

- that comply with the laws and regulations governing fair employment practices; and
- m. Names of any and all employees and/or volunteers.

Further, all principals of any supervised visitation program must agree to and successfully undergo a background investigation prior to receiving an agreement to accept referrals for court-ordered supervised visitation.

(3) Successful applicants will be required to execute an agreement with the Circuit prior to receiving and accepting any cases for court-ordered supervised visitation. Any revision, renewal or extension of the agreement must be promptly executed in order for the program to maintain eligibility on the Circuit's approved list.

(4) Consistent with Florida Supreme Court administrative order, judges may only order litigants to a supervised visitation program with which the Circuit has an agreement. The selection of a supervised visitation program need not be in strict rotation and may be done in consultation with the parties so that a program is selected that has a location convenient for the parties and that offers services within the financial means of the parties.

(5) Upon referral and prior to accepting a case, programs shall conduct an intake for the purpose of obtaining relevant information about the case, the parents, and the child, including any special needs of the child. A supervised visitation program shall decline to accept a case where the program cannot reasonably ensure the safety of all clients, program staff, and volunteers, including but not limited to the following reasons:

- a. The volatile nature of the case or client;
- b. Visitation supervisors are not adequately trained to manage issues identified in the intake;
- c. Facilities are not adequate to provide the necessary level of security;
- d. Insufficient resources; or
- e. Conflict of interest (real or perceived).

(6) A supervised visitation program may be removed from the Circuit's approved list upon recommendation to the Chief Judge or Chief Judge's designee by a judicial officer or other court staff. When such recommendation is made, the Chief Judge or Chief Judge's designee may request a meeting with the supervised visitation program to discuss the circumstances. After such meeting, or after review of any

recommendation made by the Chief Judge's designee, the Chief Judge will determine whether the supervised visitation provider should remain on the Circuit's approved list.

(7) A supervised visitation program that executes an agreement with the Circuit to provide court-ordered supervised visitation in appropriate cases must immediately notify the Chief Judge or Chief Judge's designee and the Office of the Trial Court Administrator when any of the following listed events occur. When the supervised visitation program or any principal or employee thereof is:

- a. Named as a respondent in any injunction involving personal protection, including dating violence, domestic violence, repeat violence and sexual violence, or stalking, in any jurisdiction.
- b. Named as a parent or guardian of a child in a dependency action, in any jurisdiction.
- c. Named as a party to any legal proceeding within the Seventeenth Judicial Circuit.
- d. Arrested, convicted, held in contempt by a court of legal jurisdiction, had adjudication withheld, enters a plea of "no contest," or enters a plea agreement for any offense other than a civil traffic infraction, in any jurisdiction.
- e. Named as a respondent in any grievance or formal complaint filed by the licensing authority for any license held by the supervised visitation program.
- f. Involved in any conduct that might reasonably be construed to disqualify a person from selection for service as a supervised visitation program under the standards and qualifications specified in this Administrative Order or any agreement between the supervised visitation program and the Circuit.

DONE AND ORDERED in Chambers, Fort Lauderdale, Florida, this 3rd day of June, 2019.

/s/Jack Tuter
Jack Tuter, Chief Judge